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MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

James E. Brooks Jr.

(Enter above the full name  
of the plaintiff or plaintiffs in  
this action)

07CV6336  
JUDGE LEINENWEBER  
MAGISTRATE JUDGE DENLOW

vs.

Case No: \_\_\_\_\_  
(To be supplied by the Clerk of this Court)

Leland Dumas

John Barry

Sears/John Doe Manage-

ment located @ 11601

North Harlem -

Chicago, Il.

(Enter above the full name of ALL  
defendants in this action. Do not  
use "et al.")

**CHECK ONE ONLY:**

☐ COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983  
U.S. Code (state, county, or municipal defendants)

☐ COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE  
28 SECTION 1331 U.S. Code (federal defendants)

☒ OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR  
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

**I. Plaintiff(s):**

- A. Name: James E. Brooks Jr.
- B. Date of Birth: March 30, 1971
- C. List all aliases: Tason Adams
- D. Prisoner identification number: 2007-006-5898
- E. Place of present confinement: Cook County Jail
- F. Address: P.O. Box 089002

(If there is more than one plaintiff, then each plaintiff must list his or her name, date of birth, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

**II. Defendant(s):**

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: Leland Dumas  
Title: Store Security  
Place of Employment: Sears, located @ 1601 North Harlem
- B. Defendant: John Barry  
Title: Store Security  
Place of Employment: Sears, located @ 1601 North Harlem
- C. Defendant: Sears / John Doe Managment  
Title: Management  
Place of Employment: Sears, located @ 1601 North Harlem

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

**III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:**

- ~~A. Name of case and docket number: \_\_\_\_\_~~
- ~~B. Approximate date of filing lawsuit: \_\_\_\_\_~~
- ~~C. List all plaintiffs (if you had co-plaintiffs), including any aliases: \_\_\_\_\_~~
- ~~D. List all defendants: \_\_\_\_\_~~
- ~~E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): \_\_\_\_\_~~
- ~~F. Name of judge to whom case was assigned: \_\_\_\_\_~~
- ~~G. Basic claim made: \_\_\_\_\_~~
- ~~H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): \_\_\_\_\_~~
- ~~I. Approximate date of disposition: \_\_\_\_\_~~

**IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.**

## IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

I state and I stand by the claim that, at approximately 9:30 a.m. on Nov. 29, 2006, I entered a Sears store located at 1601 N. Harlem to price a few items for my fiancé and soon to be born daughter. While walking towards the front of the store, I was approached by two men with the smell of alcohol on them; babbling words that were unclear to me. Before I knew it, I was socked in<sup>my</sup> face by one (Defendant Leland Dumas). Less than a second after I was placed in a choke hold by (Defendant John Barry) as if this assault was well planned. I found myself in great pain and being deprived of oxygen. My only thoughts were that I was being robbed in public, during broad daylight and that I was in a fight for my life. This has never happened to me before and I couldn't understand why it was happening now. Soon it became clear that these men were mistaking me for someone else, and they were employees of Sears. I gathered this because one of the men said "you're coming with us security". I state and stand by the claim that

defendant #3 Sears/John Doe Management failed to adequately train there store security, regarding rules of engagement, involving the public on there property. As a result I was assaulted on tape. Leaving serious bodily harm done to me to wit: My left knee, throat, solar plex, left shoulder, neck, & deep lacerations on my left hand. Which in turn becam infected with Staph called (MRSA). I received an operation on my hand shortly after, to save my hand as well as my life. I strongly feel that I was treated with deliberate indifference.

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I humbly request the court to issue an order declaring each defendant to pay \$150,000<sup>00</sup> punitive damages & \$80,000<sup>00</sup> each compensatory damages or whatever insurance company that bonds them from this type of negligence be held financially responsible to the sum total of \$690,000<sup>00</sup> or whatever the court feels is fair.

VI. The plaintiff demands that the case be tried by a jury. ☐ YES ☒ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this fourth day of November, 2007

James E. Brooks Jr.  
(Signature of plaintiff or plaintiffs)

James E. Brooks Jr.  
(Print name)

2007-006-5898  
(I.D. Number)

P.O. Box 089002

Chicago, IL

60608  
(Address)